

Frederick W. Brinkerhoff correspondence

Section 43, Pages 1261 - 1290

This is correspondence to and from newspaper editor and publisher Frederick W. Brinkerhoff. The bulk of letters date from the 1940s and 1950s. His first newspaper job was with the Ottawa Herald, after which he worked for the Fort Scott Republican, Chanute Sun, Chanute Tribune, Kansas City Star, Pittsburg Headlight, and the Pittsburg Sun. Brinkerhoff was also vice-president and a director of Stauffer Publications as well as director of Capper Publications Inc., the Topeka State Journal Company, and Newton Publishing Company. In addition, he was vice-president of the KSEK Broadcasting Company in Pittsburg. Brinkerhoff was well known as a journalist, serving as president of the Kansas Press Association in 1935 and as chairman of the Kansas Associated Press in 1946-1947. He also served as a member of the Pulitzer Prize jury for editorial writing in 1950 and 1951. In 1956, he received the William Allen White award to a Kansas editor for journalistic merit. Active in community affairs, Brinkerhoff was a member of the board of the Pittsburg Public Library, served as chairman of the Pittsburg Industrial Commission, and was on the board of directors and served a term as president of the Pittsburg Chamber of Commerce. He was also active in Republican party politics. Brinkerhoff was interested in the history of the state and served as president of the Kansas State Historical Society in 1944. The correspondence is arranged chronologically and grouped alphabetically by individuals with whom Brinkerhoff was in frequent contact, including Roy F. Bailey, Arthur Capper, Rolla Clymer, Harry W. Colmery, Harry Darby, Jess C. Denious, Myron George, Merl Huffman, Clyde M. Reed, Richard W. Robbins, Andrew Schoeppel, and Oscar Stauffer, among many others.

Date: 1909-1966

Callnumber: Frederick W. Brinkerhoff Coll. #97, Box 1 Folder 1 - Box 8 Folder 5

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Frederick W. Brinkerhoff correspondence

Page 3,
Mr. G. L. Bippus

on the man you finally see as compared with the solicitor who goes in and talks about his publication and his market.

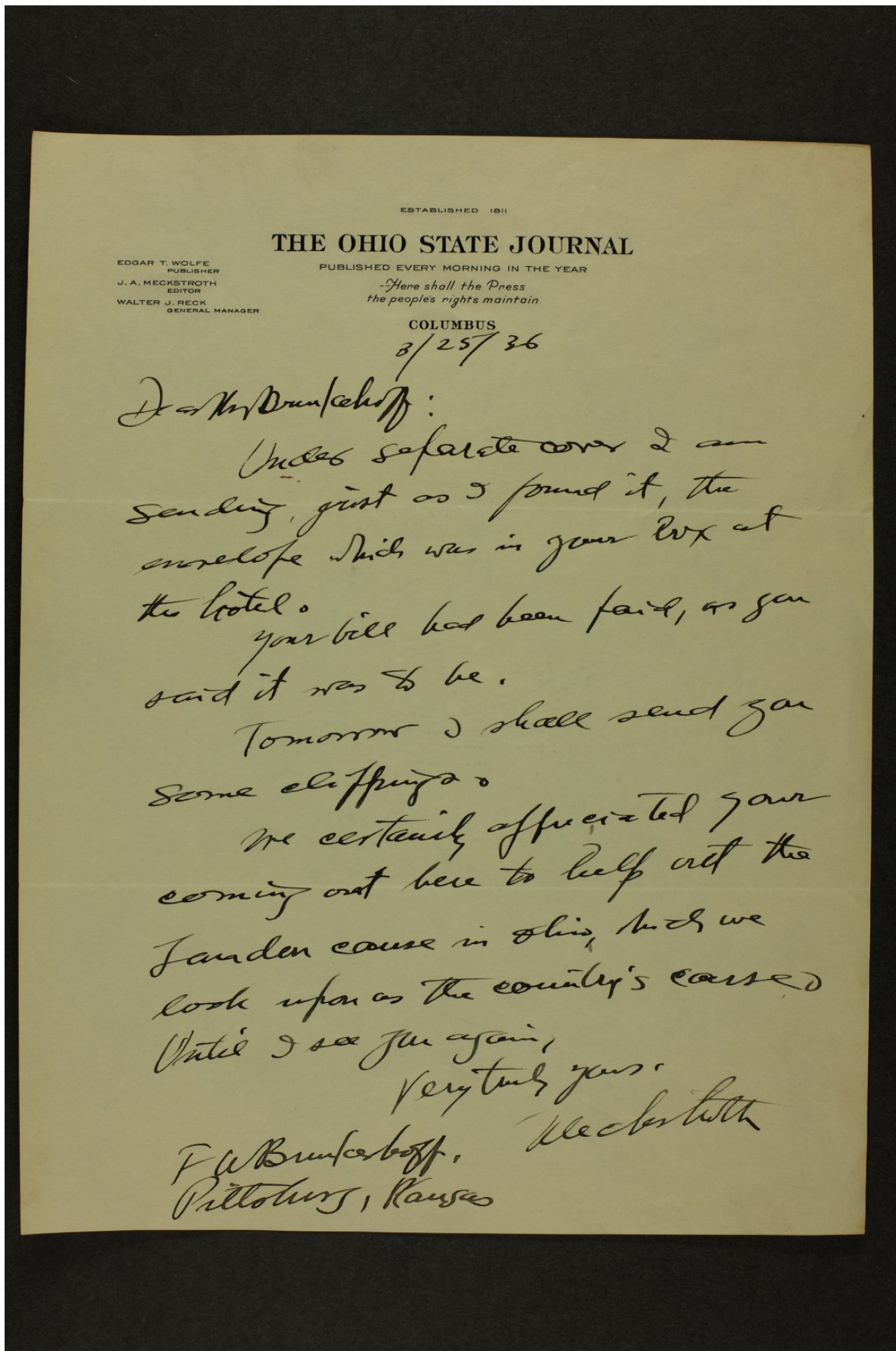
This letter, preaching as it does, seems almost in bad taste. My excuse is that Mr. Denton is a lifelong and valued friend and his suggestion to write you makes formalities seem superfluous. I should write the same letter to Frank under similar circumstances, -- perhaps taking the opportunity to call his attention to certain deficiencies in his game of cribbage.

Come and see us. I shall call on you in Huntington if the opportunity affords. Best luck.

Sincerely yours,

Mr. George L. Bippus
Huntington, Indiana

Frederick W. Brinkerhoff correspondence



Frederick W. Brinkerhoff correspondence

April 14, 1936

Jonathan H. Davis,
Bronson, Kansas.

Dear Governor:

Thinking that you might not have seen the comments that appeared in these organs of enlightenment concerning your latest political move, I have having clippings enclosed.

I was in Bronson the other day. You will ~~hate~~ that I happen to be potentate of Mirza Temple. I was visiting the Shriners in Bronson, including Mr. Love who is ill. If we had had a little time, it was my intention to run out to your farm. You have invited me there many times, but it has not been possible for me to accept your kind invitation. Incidentally, Mrs. Brinkerhoff told me that she was invited to make a visit to your place Thursday.

Also incidentally, I am wondering why this former governor does not return to Mirza Temple. If you will send me a check for \$18 you will be reinstated in the Shrine and your dues will be paid until Jan. 1937. I would consider it one of the achievements of my administration if I could replace the name of a governor on our rolls, thus bringing my list to three and making it the only temple in Kansas to have that honor and one of the few in North America to be so honored. It would be a real pleasure to me to have you participating with us in our big ceremonial on April 30.

Sincerely yours,

FWB:WS

Frederick W. Brinkerhoff correspondence

THE EMPORIA GAZETTE

May 29, 1936.

Dear Mrs. Brinkerhoff:

I want to thank you for your kind hospitality. What a lovely time I had with you and Fred! I was so comfortable, felt so much at home, enjoyed seeing you both again. I do hope our paths will cross and that you may come to Emporia, both of you, and visit us. Remember me most kindly to Fred and to our young friends. What a pleasant evening that was on the porch! I am afraid I talked too much. Mrs. White says I always do, that I should let other people do the talking.

Frederick W. Brinkerhoff correspondence

Again let me thank
you for your kindness.

Most cordially yours,

W. A. White

Frederick W. Brinkerhoff correspondence

June 24, 1936

Richard J. Surface, Potentate,
Isis Temple,
Salina, Kansas.

Dear Potentate Surface:

I think that every Kansas Shriner at Seattle should wear a Kansas sunflower if he cares to do so. But I do not believe that it will be policy for the temples to promote such a display. In the case of Mirza, of which Landon has been an active member for 26 years, we shall arrange it that every one who wants to wear the sunflower--which will generally be accepted as a Landon badge--will have one. But I shall not let it appear that I am promoting it. We probably will take along a supply for others who may want them.

Whatever publicity for Kansas and support for Landon we can get in good taste in Seattle, we should take. But it would be possible to injure his cause by organized and enthusiastic campaigning. My judgment is that there will be lots of Landon sentiment there from other states. Naturally the Kansans will be on the spot. My hope is that we shall not do anything that might work injury. All the Kansans, the Mirzans especially, will be asked a lot about Landon. Personally, I shall tell the human interest story concerning him and avoid political discussions.

I can say to you that I am sure the thoughts I have expressed would have the approval of the governor.

We are leaving here in two cars the afternoon of July 8, and will be hooked up with the Oklahoma City train at Hoisington. The Kansas City and Tulsa potentates and George Olendorf will be in our cars, too. I am looking forward to meeting you at Seattle, with your fine bunch.

Yours in the faith,

FWB:MS

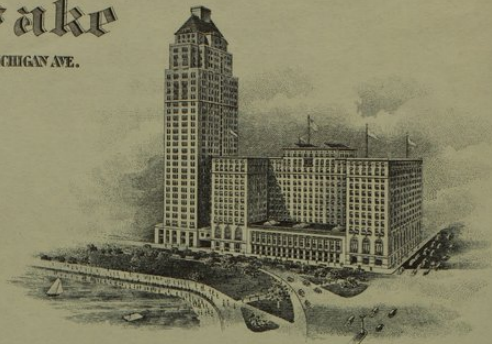
Potentate.

Frederick W. Brinkerhoff correspondence

The Drake

LAKE SHORE DRIVE & UPPER MICHIGAN AVE.

TELEPHONE
SUPERIOR 2200



Cable Address "DRAKEHO"

CHICAGO

August 2, 1936.

Mr. Fred Brinkerhoff,
The Pittsburgh Headlight and Sun,
Pittsburgh, Kansas.

Dear Mr. Brinkerhoff:

I look forward with great pleasure to broadcasting with you here on Monday, August 10.

The subject you have undertaken to cover is "Landon and Oil." I think you have a great opportunity there. For us Easterners the main points, I should surmise, would be:

One. How did Landon get into the oil business?

Two. Just what has he done in the oil business? What have been his relations in practice in daily business to the pipeline companies and the refining companies? Just what is an "independent" oil operator? Does Landon buy and sell oil wells and trade in them or does he just operate them and sell their output?

Three. What is the story of the fight he waged on behalf of the "independent" oil operators in Kansas and in Washington when the big companies did not want to take from the strip-wells?

Four. What is the story of his defeat for precinct committeeman in Independence by the Prairie State and Oil?

Five. In sum, what is the degree of foolishness in the idea that Landon represents the "oil trust"?

Yours most faithfully,

WH:N

William Hard

Frederick W. Brinkerhoff correspondence

The Drake

LAKE SHORE DRIVE & UPPER MICHIGAN AVE.

TELEPHONE
SUPERIOR 2200



Cable Address "DRAKEHO"

CHICAGO

Mr. Brinkerhoff - 2

P. S. Could you pretty soon send me a fairly complete summary of what you intend to say? Then I could begin to formulate my questions in such a way as to bring out the points you want to make.

Frederick W. Brinkerhoff correspondence

THE COMPANY WILL APPRECIATE SUGGESTIONS FROM ITS PATRONS CONCERNING ITS SERVICE 1201-S

CLASS OF SERVICE	WESTERN UNION	SIGNS
This is a full-rate Telegram or Cablegram, unless its deferred character is indicated by a suitable sign above or preceding the address.	R. B. WHITE PRESIDENT NEWCOMB CARLTON CHAIRMAN OF THE BOARD J. C. WILLEVER FIRST VICE-PRESIDENT	DL = Day Letter NM = Night Message NL = Night Letter LC = Deferred Cable NLT = Cable Night Letter Ship Radiogram

The filing time shown in the date line on telegrams and day letters is Standard Time at point of origin. Time of receipt is Standard Time at point of destination.

Received at 105 East Fourth St., Pittsburg, Kansas. Phone 3014 1936 AUG 5 PM 12 14

KAA66 75 DL=DR CHICAGO ILL 5 1240P

F W BRINKERHOFF=

PITTSBURG PUBLISHING CO PITTSBURG KANS=

THANKS YOUR WIRE AND PHOTO STOP SINCERELY HOPE YOU CAN MAIL ME SUMMARY BY THURSDAY STOP IF YOU ARE HERE SUNDAY MORNING EARLY IT SHOULD BE PLENTY OF TIME STOP SUIT BY GOVERNMENT AGAINST OIL COMPANIES FOR RESTRAINT OF TRADE MAKES IT ABSOLUTELY NECESSARY TO PRESENT COMPLETE LANDON RECORD TO PUBLIC STOP PLEASE INCLUDE ALSO THE SHIFT IN LANDONS VIEWS REGARDING FEDERAL OIL CONTROL STOP WILL YOU PHONE ME, DRAKE IMMEDIATELY ON ARRIVAL CORDIAL REGARDS=

WILLIAM HARD.

THE QUICKEST, SUREST AND SAFEST WAY TO SEND MONEY IS BY TELEGRAPH OR CABLE

Frederick W. Brinkerhoff correspondence

Minneapolis, Minn. August 10, 1936
1800 Stevens Ave.

Mr. Fred Brinkerhoff,
Pittsburg, Kans.

Dear Mr. Brinkerhoff:-

Your radio interview this evening on Governor Landon and oil assisted by William Hard was enjoyed very much. Your excellent explanation of Governor Landon's business activities as you know them will I am sure do much to clarify the situation that many are not familiar with.

Governor Landon's distinctive merit, so his eulogists have declared, is his innocence of anything extraordinary. He is an average man, an "every-day man," which I am sure is a very good recommendation for any one. Consider, however, the following comment by a Republican paper published in Parsons, Kans. The Parsons Sun. (One of your near by towns).

"Economical administration of government," says the Sun, "is always desirable and commendable, unless carried to extreme, we pass that limit when our State hospitals are unable to care for the unfortunate insane and tubercular patients. We are in such a situation. When Labette County asked to send two women insane patients to Oswatomie, at different times, we were told that the only way we could do that would be for our county to take back men patients, which we did. We have no place to put them except in the county jail or on the county farm, where they are now. We think that is not good government, even tho credit may be claimed for saving money. Economy at the expense of humanity does not appeal to this newspaper. This condition is becoming notorious in Kansas."

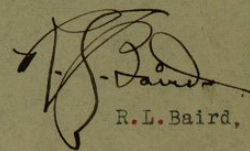
The following comment appeared in our evening paper; John W. Lewis said;

"God help the American people if they must depend upon this little man out in Topeka, Kans. who has no more conception of what ails America or what to do about it than a goat herder in the hills of Bulgaria."

We are also informed that many school teachers are paid \$25.00 per month and the old age pensioners receive \$5.50 per month and relievers receive \$1.08 per week to live on in the State of Kansas, which enables the Governor of the state to balance the budget. Maybe we are misinformed.

I heard you interesting comments over the radio, also read other comments that have referred to above. So in this connection an expression from your good self in explanation as to the Parsons Sun and other items would be appreciated very much. So with my very best wishes for your-self, I am

Cordially yours,



R.L. Baird,

Frederick W. Brinkerhoff correspondence

THE FIRST NATIONAL BANK
PATERSON, N. J.

WILLIAM HAND, PRESIDENT
F. R. PETERSON, EXECUTIVE VICE PRESIDENT
ROBERT J. NELDEN, VICE PRESIDENT
WILFRED E. RILEY, VICE PRESIDENT AND TRUST OFFICER
JOHN T. DEIGHTON, VICE PRESIDENT AND CASHIER
HAROLD A. RAMSEY, ASSISTANT CASHIER
JOHN R. GARRISON, ASSISTANT CASHIER

August 11, 1936

Mr. Fred Brinkerhoff,
Pittsburg Head Light,
Pittsburg, Kansas.

My dear Fred:

Mrs. Peterson, Max Froelich
and myself listened to your speech over the radio last
night on Landon's position in the oil industry, and we
thought you covered the ground excellently.

We all are puffing up with
pride on the recognition Kansans are now receiving, and
think that you people out there are handling the situation
marvelously.

It is my belief that Landon
will carry the East as he apparently has the support of
the major end of business. You may rest assured that we
will do all that we can here.

With best personal regards to
Doc Moore, Irv Cole and yourself, I am,

Very sincerely,

Enjoyed your talk
Regards Fred
Max

F. Raymond Peterson

P.S. If the Republicans who are Republicans will vote
their own ticket, I believe there is no question as to the
outcome of the election in November.

Frederick W. Brinkerhoff correspondence

OFFICES IN
SECURITY BANK BUILDING

TELEPHONE { 222-1111
CITY OF KANSAS 2221

LAW OFFICES OF
J. A. NELSON
DECORAH, IOWA

August 11, 1936

Mr. F. W. Brinkerhoff
Publisher
Pittsburg, Kansas

Dear Mr. Brinkerhoff:

Remembering you since our correspondence concerning Governor Landon last winter, it was indeed very encouraging to hear you in last evening's broadcast. I do not know of anything that can strike more home than broadcasts by just ordinary people, introduced by some one of note. More of that should be done throughout the entire campaign. It will set people a thinking.

I made a trip recently, through Minnesota, into Dakota, and there is plenty of misunderstanding, and the hysteria of a mislead people is simply astounding. But it is gratifying to notice that there is a gradual change of sentiment. My brother Martin, is doing a splendid work in Minnesota in his campaign for governor.

Another thing that I want to mention, knowing that you are close to the governor, was the wonderful message on the Council Bluffs Centennial. It was especially effective in showing Landon's knowledge of history and our national development as made possible by human hazard and toil.

What I had in mind, is something similar, a Diamond Jubilee at Luther College in this city. It will be 75 years old on October 14, 1936, and represents the real seat of learning of the Pioneer Norwegians, who now number better than two million in this country. You know President Collidge gave a wonderful address in Minneapolis in 1925, which was the Centennial of the comers from Norway and he made himself marvelously strong from that appearance. That population is scattered through the whole country, but for the most part in Iowa, Minnesota, Wisconsin, and Illinois.

On the 70th Anniversary of Luther College I assisted President Hoover in formulating a message which also was very well received.

It would seem to me that Landon can strengthen himself with the Norwegian voting population by presenting greetings for the coming event at Luther College. I shall

Frederick W. Brinkerhoff correspondence

OFFICES IN
SECURITY BANK BUILDING

TELEPHONE { RESIDENCE 3324
OFFICE 3321

LAW OFFICES OF
J. A. NELSON
DECORAH, IOWA

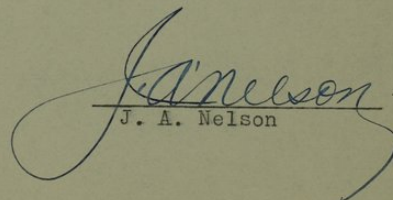
Mr. Brinkerhoff--Page two.

be glad to prepare the outline so that he can formulate the message in his own language if you think it worth the time and effort. I do. Let me also mention that in Decorah, there is a Norwegian newspaper published that has a large circulation, but is not Landon minded, but a recognition along this line would even elicit a strong editorial. I am sure of that.

Another idea that I have is a series of short talks by different classes of people--to include the professions, labor, manufacturer, merchant, teacher, farmer, etc. Say: One from a country lawyer, Why I am for Landon--a country doctor, Why I am for Landon, etc. down the line, one each evening for a period of about two weeks, and to be on the same order as the series that is now being put on, except that in these broadcasts the voters would give his views.

I realize that this is getting lengthy and may bore you, but our task is important to put this man Landon across. Our country needs him.

Sincerely yours,


J. A. Nelson

Frederick W. Brinkerhoff correspondence

INTERSTATE POWER COMPANY

Valentine, Nebraska.

August 12th. 1936

Mr Fred W. Brinkerhoff,
Pittsburg, Kansas.

Dear Fred:-

It pleased me to receive your letter, telling me that you would be on the air Monday evening, tuned in and waited for you, static conditions were bad, yet I was able to hear you plainly, and enjoyed your talk very much, you had a good subject, and did it full justice, whenever you should happen to be on the air again, let me know, if you do not forget it. It looks to me, as if we were going to take the Democrats to a good cleaning this fall, in spite of the fact, that Roosevelt is pouring out money by the millions, but I do not believe that every man and woman, who are on the relief rolls, will support him by their vote. The chairman (J.C. Quigley) of the Nebraska Democratic Committee lives here in Valentine, he was a candidate for U.S. Senator in the primaries, but lost out, last fall he worked hard for the return of U.S. Senator Burke. Do not believe his feelings now, are as warm for Burke as then, because of Burke's attitude towards the 'New Deal'.

For my vacation this year, am planning a visit to my sister Laura, who lives near Portland, Indiana, and to my boy, who lives in Milwaukee, wish you were not so far south, so that I might make you a little visit, have not seen Laura since father died 14 years ago.

Remember me to your family, while you have not mentioned them, am taking it for granted that you have.

Sincerely yours

W. T. Kincaid

Frederick W. Brinkerhoff correspondence

August 14, 1936

Clyde I. Webster,
Imperial Potentate,
A.A.O.N.M.S.,
County Building,
Detroit, Michigan.

Imperial Sir:

May I extend to you the congratulations of Mirza Temple upon your elevation to your high office. Under your administration, domestic Shrine of North America certainly will move forward and perform its great mission most efficiently.

Personally I was very much delighted to hear your endorsement of Dr. Matthews' splendid little speech and to hear you say that Dr. Matthews had outlined some work which you intended to do as imperial potentate.

Mirza Temple would be delighted to receive a visit from you at its fall ceremonial and would be happy to fix the date of the ceremonial to suit your convenience. Among the members of my reception committee is our active and veteran member, Alf M. London. He will be pretty busy with some other things before the first week in November. Following the first Tuesday after the first Monday, we will insist that he take a brief rest and that he include a ceremonial attendance as part of his recreation.

Assuring you of my personal desire to cooperate with you as a potentate during the next six months and trusting that you will find it possible to visit us, I am

Fraternally
Yours in the faith,

F. W. Brinkerhoff,
Potentate.

FWB:WS

Frederick W. Brinkerhoff correspondence

August 14, 1936

Fred L. Hans,
State Fish and Game Warden,
Pratt, Kansas.

Dear Warden:

Thanks for your letter. We will reduce the herd as I suggested we desire to do. My complaint about you is that you seem to think one visit down here is sufficient. There are a lot of fellows here who think as I do that you should come down here more often.

Sincerely yours,

FWB:WS

Frederick W. Brinkerhoff correspondence

August 14, 1936

Giles E. Atherton,
Cook, Minnesota.

Dear Giles:

I do not like the trend of your letter. It sounds like it was written by a new deal brain truster, wanting to break up the status quo and everything. What other county in Kansas gave land for a state park? Here are a bunch of fellows who went out and raised the money to buy the land and give it to the state. I think the people of this section, 50,000 in one county are entitled to a place of recreation and to have some animals such as we have made possible here. Some of you fellows who enjoy fishing and hunting fail to understand that there are a lot of folks who cannot afford to fish or hunt, but whose children do enjoy the things made possible at Crawford County State Park.

I am sure that Noble Alf H. Landon, of Mira Temple, would join me in these views.

Anyway, I am awfully glad that you are feeling better and I certainly hope you will be in good shape for a fight if we have to have one when you get home.

Sincerely yours,

FWB:WS

Frederick W. Brinkerhoff correspondence

EASTERN OFFICE
14 WALL STREET
NEW YORK CITY, N. Y.

WESTERN OFFICE
SUPERIOR, ARIZONA

Magma Arizona Railroad Company

Superior, Arizona

August 14, 1936.

Mr. Brinkerhoff,
% Pittsburg Daily Headlight,
Pittsburg, Kans.

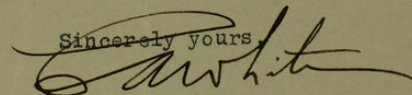
Dear Mr. Brinkerhoff:

I had the pleasure of hearing your radio address a few evenings ago in regard to Gov. Landon's relation to the oil business. It certainly was to the point and it is hoped that it clarified and spiked some of the malicious propagand which aligns Landon with the big oil interests.

I am very much interested in the Governor's candidacy and have had some correspondence with the gentlemen and also with Mr. Stauffer in connection therewith. I believe it is coming along nicely and we have a very good chance to win the election. However, in my opinion, it is going to require a very vigorous campaign - the issues, to me are clear and we should by no means take a "middle of the road" position. We cannot afford to condone policies that we know to be destructive - ultimately - to get votes. We will gain more by taking a positive stand against all Socialistic tendencies.

Hoping success for our party in November.

Sincerely yours,


C.A. White.

CAW/W

Ps:

I was a Headlight carrier in Cherokee, Kans. many years ago.
A man by the name of Smith, located in Pittsburg, was my boss.

CAW

Frederick W. Brinkerhoff correspondence

Mr. F. W. Brinkerhoff.
Dear Sir:

Appreciated
your nice letter very
much and we are
hoping that you come
to try to speak or in a
nearby state so that we ^{may}
hear ~~it~~ let us know
if you do.

Tuesday three cars of
our workers attended the
opening of our state campaign
in Ky at Lexington, I met
John Hamilton and liked
him very much, enjoyed
his speech. There were
huge crowds there from
the one hundred & twenty
counties.

On Monday Mr. Francis ^{of Chicago}

Frederick W. Brinkerhoff correspondence

And Congressman Joe
Manlove of Joplin Mo
were here with us after
our afternoon meeting we
held short conferences with
some of our workers and
in the evening Mr Francis
spoke to us again - they
went with us next day
to State meeting at Lexington.

We are hoping to raise
all money for our County
Campaign and are hoping
we can raise five hundred
besides to send to National
Headquarters. One Dem.
gave us one hundred
dollars.

Can we win with all
that relief money out against
us, can we win with all

Frederick W. Brinkerhoff correspondence

with the "po' white trash"
(as the saying goes in the south)
herded to polls like cattle
by thousands, I am fearful.
You know I don't mind
losing in a fair square
~~game~~ fight be it politics
foot ball or what not, but
I hate to be tricked & cheated.
Win or lose I am out of
politics after this year.

The many people I
talked to Tuesday are ~~hopeful~~
because a great many
Democrats are voting with
us and things do look
good.

Appreciated your
taking "time out" to
answer my letter and
hoping to see ^{you} in Ky

Frederick W. Brinkerhoff correspondence

or some nearby. State
Hoping for Victory this
Fall
Sincerely yours
Margaret D. Gregory
Sept 30-1936

Frederick W. Brinkerhoff correspondence

FEDERAL COMMUNICATIONS COMMISSION

15448

Washington, D. C.

NOTICE

IN RE APPLICATION OF A. Stancart Graham, E. V. Baxter,)	File No. B4-P-459
and Norman Baxter, d/b as)	
Pittsburg Broadcasting Co.)	
DATED March 12, 1935)	Docket No. 3038
FOR Construction Permit)	
CLASS OF SERVICE Broadcast)	
CLASS OF STATION Broadcast)	
LOCATION Pittsburg, Kansas)	
OPERATING ASSIGNMENT SPECIFIED)	
Frequency ----- 790 kc)	
Power ----- 1 kw)	
Hours of operation Daytime -----)	

To: Pittsburg Publishing Co.,
Pittsburg, Kansas

You are hereby notified that the Commission has examined the above described application and has designated the matter for hearing for the following reasons:

1. To determine the legal, technical, financial and other qualifications of the applicant to construct and operate the proposed station.
2. To determine the need for additional daytime service in the area proposed to be served.
3. To determine whether the application may be granted within the purview of Section 307 of the Communications Act of 1934 and the Regulations of the Commission as to quota, particularly Rule 6 (f).
4. Because of the pendency of other applications from the same state and zone.
5. Because of the pendency of other applications applying for facilities in Pittsburg, i.e. from Joplin Publishing Co. (B4-P-285) and from Pittsburg Publishing Co. (B4-P-423).
6. To determine whether the site at which the applicant proposes to construct and operate the station will be satisfactory.
7. To determine whether the antenna which the applicant proposes to use in the operation of the station will comply in all respects with the Rules and Regulations of the Commission and will render proper service.
8. To determine whether the granting of the application will serve public interest, convenience and necessity.
9. Because of the pendency of the application of Springfield Newspapers, Inc., (B4-P-284) with which conflict may be had by reason of interference.

The attention of the applicant is directed to the fact that while his application constitutes a part of the record, it is not a part of the testimony and he should be prepared, at the hearing, to introduce testimony to prove the allegations contained in his application.

The specific grounds mentioned are not to be considered as exclusive of other grounds for the action and eventual decision of the Commission.

PLEASE ACKNOWLEDGE RECEIPT OF THIS NOTICE

Frederick W. Brinkerhoff correspondence

- 2 -

Attention is invited to the following Rules and Regulations of the Federal Communications Commission:

- 104.6 b. In order to avail himself of the opportunity to be heard, the applicant shall, within 15 days of the mailing of the notice by the secretary, file with the Commission a written appearance and statement of his desire to be heard, in accordance with Rule 105.25.

Within 25 days of the mailing of the notice of hearing as aforesaid, any respondent who desires to participate in the hearing, shall file with the Commission his answer to any such appearance in accordance with Rule 105.26.

c. In case no appearance or statement in writing of the facts to be proved upon such hearing is filed by the applicant within the time so specified, the hearing will be cancelled, the applicant deemed in default, his application denied, and the secretary shall so notify the applicant and other parties to the hearing.

e. If at the date set for hearing, the applicant does not appear and offer evidence in support of his said application, a default will be entered, and the Commission will deny the application.

- 105.25 The appearance to be filed pursuant to Rule 104.6 shall be subscribed and verified by the applicant, and shall consist of a statement of his desire to be heard, and a terse yet complete statement in writing of the facts which he expects to prove at such hearing. The appearance shall be accompanied by proof of service upon all parties notified of the hearing. Such appearance shall be considered a pleading (but not as evidence of the facts therein stated).

- 105.26 The answer to applicant's appearance to be filed pursuant to Rule 104.6(b) shall conform to the requirements set forth in Rule 105.25 with respect to appearance of applicant. No respondent shall be heard in any proceeding under Title III unless and until he shall have filed an answer to the applicant's appearance in accordance with this Rule.

- 105.34 Except as otherwise provided in these Rules, each application, complaint, petition, protest, appearance, answer or other pleading initiating or supplementing a proceeding before the Commission, shall be personally subscribed and verified: (1) by the party filing said document, or by one of the parties, if there be more than one, (2) by an officer of the party filing the document if the party be a corporation; Provided, however, That in case of physical disability of the party or his absence from the continental United States, the Commission may, in its discretion, permit the subscription and verification to be made by the party's attorney.

- 105.35 ***** All pleadings or documents other than applications under Title II, formal complaints, supplemental complaints, cross complaints and amended complaints filed in any proceeding shall be served by the party filing the same, proof of which service shall be by signature of the party served, or by affidavit showing service by registered mail, (postage prepaid) of a true copy thereof, to the last known address of said party, and such proof shall be submitted at the time said documents are offered for filing with the Commission.

- 106.22 The Commission will either on its own initiative, or on written request of a party to a proceeding, issue an order to take a deposition. If on written request, said request shall set forth the name and address of the witness, the matters and facts concerning

Frederick W. Brinkerhoff correspondence

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which it is expected the witness will testify, and the cause or reason why such deposition should be taken. Such written request shall be subscribed and sworn to by the party or his attorney, and shall be filed with the Commission fifteen days before the proposed date for taking the deposition. If said order is allowed the Secretary shall mail a copy thereof to all parties to the proceeding at least ten days prior to the date fixed for the taking of testimony.

- 106.24 A witness whose testimony is taken by deposition shall be sworn or shall affirm before any question is put to him. Each question propounded shall be recorded, and the answer shall be taken down in the words of the witness.

The testimony shall be reduced to writing by the officer, or under his direction, after which the deposition shall be subscribed by the witness and certified in the usual manner by the officer.

Objections to the form of question and answer shall be made before the officer taking the deposition, and if not so made, shall be deemed waived; Provided, however, That if no representative of the Commission is present at the taking of the deposition of any witness, such deposition shall be received in evidence at the hearing when offered, subject to such legal objection by the Commission as may be proper.

- 106.26 The original deposition and one copy thereof, and the original and one copy of all exhibits, shall be forwarded by said officer under his seal, to the Secretary of the Commission.

All depositions shall be filed with the Commission not later than five days before the date of the hearing in which they are to be offered as evidence, and Rule 100.12 shall not apply or in any wise serve to extend this time.

- 103.2 Amendments to any application may be made as a matter of course, if filed with the Commission, and served upon all parties of record not less than thirty days prior to the date set for hearing on such application.

- 103.3 Amendments to any application filed within thirty days of a hearing may be allowed in the discretion of the Commission, upon petition, and upon such terms as the Commission shall impose.

- 103.5 Any amendment to an application shall be subscribed and verified in the same manner as was the original application.

- 103.8 Where other parties will not be aggrieved or adversely affected thereby, an applicant may amend or withdraw his application without prejudice, at any time up to the conclusion of a hearing thereon.

Where such amendment changes the frequency, power, hours of operation, equipment, location of station * * *, or such amendment or withdrawal aggrieves or adversely affects other parties, no amendment to, or withdrawal of, any application will be permitted without prejudice, unless such amendment is filed, or such withdrawal is requested, not later than thirty days before said hearing.

- 106.5 For good cause shown, continuances in respect to any proceeding or hearing pending before the Commission or extension of time for filing documents or other instruments, except where the time for filing the same is limited by statute, may be granted, or denied by the Commission in its discretion for reasons such as are usually considered sufficient for analogous continuances and extensions in the courts of the United States; Provided, however, That requests for continuances or other extension of time shall be made in writing in the form of a verified petition which shall set forth the reasons therefor and the additional time required. Such petition shall indicate therein diligence on the part of the petitioner, and shall be made at a time and in such manner as to avoid unnecessary hard-

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ship or expense to the parties to the proceeding, and shall in all other respects, comply with these Rules and Regulations.

- 106.8 Except as otherwise provided herein, the rules of evidence governing civil proceedings in the courts of the United States shall govern formal hearings before the Commission; Provided, however, That the Commission reserves the right to relax such rules in any case where in its judgment the ends of justice will be better served by so doing.
- 106.9 Copies of official reports, orders or decisions of any governmental department or agency, in so far as material and relevant, shall be admissible in evidence without further authentication than a certificate from the proper custodian of any such record, order or decision, to the effect that the same is what it purports to be, and that the copy in question is a true copy thereof.
- 106.10 Where material and relevant matter offered in evidence is embraced in a document containing other matter not material or relevant, and not intended to be put in evidence, such document will not be received, but the party offering the same shall present to opposing counsel, and to the Commission, the original document, together with true copies of such material and relevant matter taken therefrom, as it is desired to introduce. Upon presentation of such matter in proper form, it may be received in evidence, and become a part of the record; Provided, however, That opposing counsel shall be afforded an opportunity to introduce in evidence, in like manner, other portions of such document if found to be material and relevant.
- 106.11 No document, exhibit or part thereof shall be received as, or admitted in, evidence unless offered in duplicate.
- 106.12 Except as herein expressly provided, unsworn documents and oral declarations will not be received in evidence.
- 106.13 The introduction of merely cumulative evidence shall be avoided, and the Commission reserves the right to limit the number of witnesses that may be heard in behalf of a party on any issue.
- 106.15 In case any portion of the record before the Commission in any proceeding, other than the one in hearing, is offered in evidence, a true copy in duplicate of such portion shall be presented for the record in the form of an exhibit.
- 100.12 Where, under these rules, unless otherwise expressly provided, any limitation is made as to the time within which any document is required to be filed, or any other procedural step is required to be taken in connection with any hearing, parties who are residents of the fifth zone, as defined in Section 302 of the Act, shall have an additional period of five days and parties who reside beyond the confines of the continental United States shall have an additional period of twenty days within which to file such document or take such other procedural step.

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The hearing on the above mentioned application will be held on March 9, 1936 at the hour of 10:00 A.M., at the offices of the Commission, Washington, D. C.

Notices of the hearing on this matter are, on the date below stated, being mailed to the following parties:

A. Stancart Graham, E. V. Baxter and Norman Baxter, d/b as Pittsburg Broadcasting Co., 404 Commerce Building, Pittsburg, Kansas.	New	Applicant
Pittsburg Publishing Co., Pittsburg, Kansas	New	Applicant for permit for station to operate on 1310 kc frequency.
Joplin Broadcasting Co., 1334 Roosevelt Ave., Joplin, Mo.	New	Applicant for permit for station to operate on 1200 kc frequency in Pittsburg, Kansas.
Springfield Newspapers, Inc., 795 Boonville Ave., Springfield, Mo.	New	Applicant for permit for station to operate on 790 kc frequency.
General Electric Co., 1 River Road, Schenectady, N. Y.	WGY	Station assigned to 790 kc frequency.
Dr. C. B. Jolliffe, c/o Radio Corp of America, 30 Rockefeller Plaza, New York, N. Y.	KGO	Station assigned to 790 kc frequency.
The Farmers & Bankers Life Insurance Co., 715 Beacon Bldg., Wichita, Kansas.	KFBI	Station assigned to 1050 kc frequency.
The WLEF Broadcasting Co., 901 North 8th St., Kansas City, Kansas.	WLEF	Station assigned to 1420 kc frequency.
Radio Station KFH Co., 201 South Market St., Wichita, Kansas	KFH	Station assigned to 1300 kc frequency.
W. B. Greenwald, 101 East Avenue A, Hutchinson, Kansas	KWEG	Station assigned to 1420 kc frequency.
Charles C. Thoie, 216 No. Terrace Drive, Wichita, Kansas	New	Applicant for permit for station to operate on 1210 kc frequency.
Farmers & Bankers Life Insurance Co., 715 Beacon Bldg., Wichita, Kansas.	New	Applicant for permit for station to operate on 1210 kc frequency
Harold F. Foraker & Ray D. Luzadder d/b as The Wichita Broadcasting Co., 1109 Bitting Bldg., Wichita, Kansas.	New	Applicant for permit for station to operate on 1500 kc frequency.
Herbert Hollister, 901 N. 8th St., Kansas City, Kansas	New	Applicant for permit for station to operate on 1500 kc frequency in Emporia, Kansas.

Frederick W. Brinkerhoff correspondence

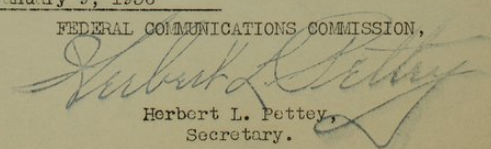
The Steffen Ice & Ice Cream Co.,
700 E. Central
Wichita, Kansas.

New Applicant for permit
for station to operate
on 1210 kc frequency.

If for any reason the applicant does not desire a hearing, he should
notify the Secretary immediately so that notices sent to other parties may
be cancelled.

Dated at Washington, D. C. January 9, 1936

FEDERAL COMMUNICATIONS COMMISSION,


Herbert L. Pettey,
Secretary.

MBA:th

Frederick W. Brinkerhoff correspondence

December 30, 1935

Mr. E. W. Scharfeld,
Kirkland, Fleming, Green & Martin,
National Press Building,
Washington, D. C.

Dear Mr. Scharfeld:

Thanks for your letter of December 26 enclosing copies of exceptions that have been filed in regard to our radio application. We are returning these to you as per your request.

It seems our friends found plenty of exceptions but I presume the commission will not take all of them seriously. I notice in one place they state that the Pittsburg Publishing Company is a Delaware Corporation. I think our application states that we are a Kansas corporation. If there is any information you need with which to answer these exceptions, do not hesitate to call on us.

Do you think that I should be in Washington at the time the oral hearing is held and I would also like to know if in your judgment I should be there at the hearing on the application of the Pittsburg Broadcasting Company?

What is the present status of their application? Do you think their hearing will be held prior to the time we have a hearing on the examiner's report?

I think you understand that since we have gone as far as we have in this matter that we want to do everything possible to secure the permit and not have any of these other companies enter this field. If it is essential that I be in Washington for either of these hearings, do not hesitate to say so.

Yours truly,

The Pittsburg Publishing Company,

G. A. Winters,
Manager.

GAW:WS

Frederick W. Brinkerhoff correspondence

December 2, 1935

Mr. A. W. Scharfeld,
Kirkland, Fleming, Green & Martin,
National Press Building,
Washington, D. C.

Dear Mr. Scharfeld:

This will acknowledge receipt of your letter of November 22nd enclosing examiner's report in which it is recommended that the application of our company be granted.

It seems to me that we have successfully gotten over one hurdle and it would seem that we are now in a little more preferred position as regards the other applicants for a station in this city.

I take from your letter that we need not take any further action on this matter at this time and that we will just wait and see what exceptions if any are filed.

I think we all felt after the hearing was over at Washington that our presentation was much better than that of Joplin and personally I rather expected a favorable report from the examiner. I believe as our attorney that some of the credit is due you as you handled the entire matter in a very efficient manner.

Yours truly,

The Pittsburg Publishing Co.,

G. A. Winters,
Manager.

GAW:WS